

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHARLES ANDERSON, JR.

Plaintiff,

-v.-

Civil Action No.
9:03-cv-549 (GLS/DRH)

B. HEGDE, Medical Specialist, Central
New York Psychiatric Center

Defendant.

APPEARANCES:

CHARLES ANDERSON, JR.
88-B-1106
Wende Correctional Facility
P.O. Box 1187
Alden, New York 14004-1187

HON. ELIOT SPITZER
Attorney General of the State of New York
The Capitol
Litigation Bureau
Albany, New York 12224-0341

JAIME IRENE ROTH, Esq.

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed September 13, 2005. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is hereby

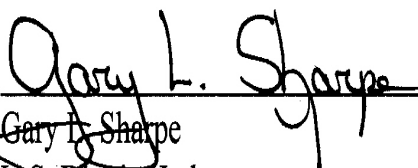
ORDERED, that the Report-Recommendation of Magistrate Judge David R. Homer filed September 13, 2005 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that Hegde's motion for summary judgment (Docket No. 28) is GRANTED, and it is further

ORDERED, that the Clerk of the Court is to enter judgment in favor of Defendants and close this case.

IT IS SO ORDERED

Dated: October 31, 2005
Albany, New York



Gary L. Sharpe
U.S. District Judge